

FILED IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
OF GEORGIA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

2015 OCT -6 PM 1:14

REGINA THOMAS
CLERK
Yahaira Lago
DEPUTY CLERK

IN RE:

TAYLOR INVESTMENT
PARTNERS II, LLC, *et al.*

Debtors.

MOE'S FRANCHISOR, LLC,

Movant,

v.

TAYLOR INVESTMENT
PARTNERS II, LLC, TIP II-
ANSLEY, LLC, and TIP II-
SUBURBAN, LLC,

Respondents.

CHAPTER 11

Jointly Administered

CASE NO. 15-51333-MHM

CONTESTED MATTER

**BRIEF OF MOE'S SOUTHWEST GRILL, LLC,
MOE'S SOUTHWEST HOLDING, LLC,
H. MARTIN SPROCK, III AND RAVING BRAND HOLDINGS, INC.
IN SUPPORT OF MOTION BY
MOE'S FRANCHISOR LLC FOR APPOINTMENT OF A TRUSTEE**

Moe's Southwest Grill, LLC, Moe's Southwest Holding, LLC, H. Martin Sprock, III and Raving Brand Holdings, Inc. (the "Raving Brand Parties"), creditors and parties in interest, hereby submit this Brief in Support of the Motion by Moe's Franchisor LLC for Appointment of a Trustee Pursuant to Section

1104(a) of the Bankruptcy Code [Doc 111]. Based upon the argument and authority set forth in the Motion, in which the Raving Brand Parties join, the Raving Brand Parties respectfully urge the Court to grant the Motion and enter an order directing the appointment of a Trustee for the Debtors.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Morton", is written over a horizontal line.

James C. Morton
Georgia Bar No. 526025

*Attorney for **MOE'S SOUTHWEST
GRILL, LLC, MOE'S SOUTHWEST
HOLDING, LLC, H. MARTIN SPROCK,
III AND RAVING BRAND HOLDINGS,
INC.***

Suite 1350, Two Midtown Plaza
1349 West Peachtree Street
Atlanta, Georgia 30309
T: (404) 966-5133
F: (404) 806-2525
E: jcm-law@comcast.net

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused a copy of the foregoing BRIEF OF MOE'S SOUTHWEST GRILL, LLC, MOE'S SOUTHWEST HOLDING, LLC, H. MARTIN SPROCK, III AND RAVING BRAND HOLDINGS, INC. IN SUPPORT OF MOTION BY MOE'S FRANCHISOR LLC FOR APPOINTMENT OF A TRUSTEE to be served upon the following by first-class mail addressed to:

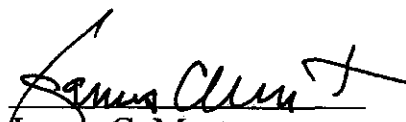
Will B. Geer, Esq.
Law Office of Will B. Geer, LLC
333 Sandy Springs Circle, NE
Suite 225
Atlanta, GA 30328

Mark J. Friedman, Esq.
DLA Piper LLP (US)
The Marbury Building
6225 Smith Avenue
Baltimore, MD 21209-3600

Lindsay P. S. Kolba
Office of the U.S. Trustee
Suite 362
75 Ted Turner Drive, S.W.
Atlanta, GA 30303

This 6th day of October, 2015.

2


James C. Morton
Georgia Bar No. 526025